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LETTER DATED 15 SEPTEMBER 1994 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Upon instructions of my Government, regarding the letter of Ambassador Sacirbey of 7 September 1994 (S/1994/1038), I have the honour to state the following.

If peace is to be achieved in Bosnia and Herzegovina, it is necessary that the Muslim side discontinue all offensive military operations against the Serb positions, i.e. honour the cease-fire agreement.

The Muslim side should give up its request for the lifting of the arms embargo against the former Bosnia and Herzegovina. Failure to do so would result in war conflicts of large proportions which would not benefit any side.

The Muslim side, which together with the Croat side formally accepted the plan of the Contact Group, should desist from political statements whose aim is to deny the equality of the Serb people in the future union of Bosnia and Herzegovina.

In that vein, the Muslim side, if it truly seeks peace and a just settlement, must not discourage the Serb side by the statements that the Serbs in Bosnia and Herzegovina are not entitled to the right to establish confederal ties with the Federal Republic of Yugoslavia, in the same way as the Croat-Muslim side is entitled to do with the Republic of Croatia.

Peace and a compromise settlement concerning the former Bosnia and Herzegovina can be viable only if the Muslim leaders give up their plan for the domination of the Croat-Muslim federation in Bosnia and Herzegovina over the Serbs, i.e. if they give up the idea of creating any form of a unitary State in the former Bosnia and Herzegovina.

It is unacceptable that the Muslim side insists on the recognition of Bosnia and Herzegovina within its present borders by the Federal Republic of Yugoslavia as a precondition for the lifting of the sanctions against the latter. The Federal Republic of Yugoslavia can recognize Bosnia and Herzegovina only after a comprehensive peaceful solution, accepted by the three peoples in this former Yugoslav republic, has been reached.

It is necessary that the Muslim side abandon baseless and incomprehensible allegations against the Federal Republic of Yugoslavia for the alleged breaches of Yugoslavia's decision to sever political and economic relations with the Republic of Srpska, i.e. the secret shipments of military equipment and oil to the Serbs in the former Bosnia and Herzegovina. At a time when the Federal Republic of Yugoslavia is investing major efforts so that peace in the former Bosnia and Herzegovina can be achieved, such insinuations complicate the search of a final solution and raise doubts as to how truly the Muslims are interested in peace. As far as the Federal Republic of Yugoslavia's resolve to implement this decision is concerned, numerous and unambiguous statements of foreign diplomats provide ample evidence to that effect.

It is necessary that the Muslim side end its charges against the Serbs in the former Bosnia and Herzegovina and the Federal Republic of Yugoslavia, of alleged aggression against this former Yugoslav republic at a moment when key international factors state that a civil war is being waged in the former Bosnia and Herzegovina.

The Muslim side should condemn all forms of ethnic cleansing in the former Bosnia and Herzegovina wherever they occur. The Muslim side, as well as other sides in the former Bosnia and Herzegovina, is obliged to abandon immediately and completely the practice of ethnic cleansing.

As far as cooperation with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia is concerned, the Government of the Federal Republic of Yugoslavia has taken a position that all war crimes are punishable in accordance with domestic legislation and the international conventions it has ratified. Consequently, the perpetrators of such crimes - the citizens of the Federal Republic of Yugoslavia - will be prosecuted by the competent domestic authorities. Any attempt to link the lifting of the sanctions against the Federal Republic of Yugoslavia with its recognition of the competence of the International Tribunal does not serve the purpose of punishing the war crimes but is aimed exclusively at strengthening political pressure on the Federal Republic of Yugoslavia.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.